



The Commonwealth of Massachusetts

Office of Campaign & Political Finance

One Ashburton Place, Boston 02108

727-8352

Dennis J. Duffin
Director

March 8, 1988

AO-88-05

Edward M. Lambert, Jr.
126 Arizona Street
Fall River, MA 02723

Dear Mr. Lambert:

This letter is in response to your recent request for an advisory opinion.

In previous years you have had a committee organized at the local level and have filed reports with the clerk of the city of Fall River for the purpose of seeking election at the local level. Recently you have decided to run for State Representative and are in the process of filing appropriate forms with this office to meet the disclosure requirements of M.G.L. c.55 as well as changing the purpose of your political committee to include a candidacy for state office.

You wish to know if your committee may make expenditures for a campaign at the local level for Fall River School Committee as well as for a campaign at the state level for State Representative.

Section 5 of M.G.L. c.55 states that "[n]o candidate shall give his consent to more than one...committee." You are not permitted, therefore, to establish two committees, one at the local level and one at the state level.

Section 6 of M.G.L. c.55 permits a candidate's committee, which is duly organized, to "receive, pay and expend money or other things of value for the enhancement of the political future of the candidate...for which the committee was organized so long as such expenditure is not primarily for the candidate's or any other person's personal use..."

So long as the expenditures of your respective local and state races meet the requirements of M.G.L. c.55, this office is of the opinion that such expenditures may be made by your committee for both races. Please be advised that you will have reporting requirements with both the Fall River city clerk and this office, however.

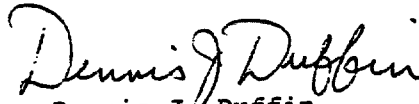
Edward M. Lambert, Jr.
March 8, 1988
Page 2

In addition, you have inquired as to the legality of expending funds which were previously raised by your committee locally, for the purpose of assisting your candidacy for state office. This office is of the opinion that funds raised at the local level may be used for expenditures at the state level, provided such expenditures are made to enhance your political future, and further provided that all disclosure and reporting requirements of M.G.L. c.55 are met.

I have enclosed a copy of 970 C.M.R., the regulations promulgated pursuant to M.G.L. c.55, for your information. I believe 970 C.M.R. 2.06(3) which governs expenditures, may be of particular use to you.

Should you have additional questions please do not hesitate to contact this office.

Very truly yours,


Dennis J Duffin
Director

DJD/ba
Enclosure